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EXPRESS MAIL: EX 494038247 US

PATENT APPLICATION

Docket: 15436.29.1.2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aronson, et al.

Serial No.: 10/629,253

Filed: July 28, 2003

For: SMALL FORM FACTOR TRANSCEIVER WITH  
EXTERNALLY MODULATED LASER

Examiner: Jennifer Doan

Customer No. 022913

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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that on this 30<sup>th</sup> day of November, 2004, the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to:

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450:

- Transmittal Letter (1 p.) in duplicate;
- Response to Election of Species Requirement (3 pp.); and
- Postcard.

Respectfully submitted,

Patricia A. Barben  
Assistant to Peter F. Malen  
Workman Nydegger

PFM:pb

EXPRESS MAIL LABEL NO. EV 494039247 US

PATENT APPLICATION

Docket No. 15436.29.1.2



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Aronson, et al.

Serial No.: 10/629,253

Filed: July 28, 2003

Conf. No.: 6707

For: SMALL FORM FACTOR TRANSCEIVER WITH  
EXTERNALLY MODULATED LASER

Examiner: Jennifer Doan

Customer No.: 022913

Art Unit  
2874

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Election of Species Requirement (3 pp.); Certificate of Express Mailing (1 p.); and a Return Postcard for entry in the above-identified application.

DATED this 30<sup>th</sup> day of November, 2004.

Respectfully submitted,

Peter F. Malen, Jr.  
Attorney for Applicant  
Registration No. 45,576  
Customer No. 022913

PFM:pb

PAB167

Express Mail No. EV 494039247 US:

PATENT APPLICATION

Docket: 15436.29.1.2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aronson, et al.

Serial No.: 10/629,253

Filing Date: July 28, 2003

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For: SMALL FORM FACTOR TRANSCEIVER  
WITH EXTERNALLY MODULATED  
LASER

Examiner: Jennifer Doan

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**MAIL STOP: AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Dear Sir:

In the Office Action mailed November 17, 2004 (the "Office Action"), the Examiner set forth an Election of Species Requirement that identified what the Examiner has characterized as seven (7)

patentably distinct species of the claimed invention. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following seven Species:

- a) Embodiment I: figures 1A and 1B;
- b) Embodiment II: figures 2A and 2B;
- c) Embodiment III: figures 3A and 3B;
- d) Embodiment IV: figures 4A, 4B, 4C, 4D and 4E;
- e) Embodiment V: figure 4F;
- f) Embodiment VI: figure 5; and
- g) Embodiment VII: figure 6.

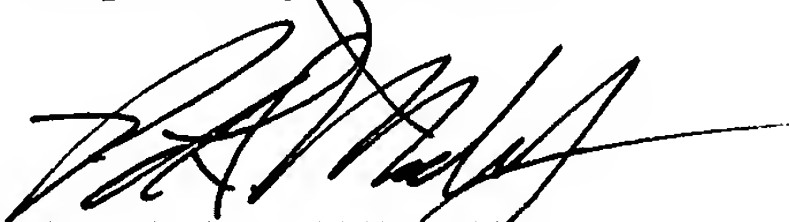
Responsive to the Election of Species Requirement set forth in the Office Action, Applicant hereby elects Embodiment VII (Figure 6) for examination, without traverse. Claims 1-12, at least, are readable on Embodiment VII (Figure 6). Moreover, Applicant believes that claims 1-12 are likewise readable on Figure 7 of the application, which was not addressed by the Examiner in the Election of Species Requirement.

Applicant's election herein is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

DATED this 30<sup>TH</sup> day of November, 2004.

Respectfully submitted,



PETER F. MALEN JR.  
Attorney for Applicant  
Registration No. 45,576  
Customer No.: 022913

PFM:pb